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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,008	09/05/2003	Yu-Te Chou	JIL02	8144
7590 07/28/2005			EXAMINER	
J.C. Patents			CHIEM, DINH D	
Suite 250				
4 Venture			ART UNIT	
Irvine, CA 92618			PAPER NUMBER	
			2883	

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

SM

Office Action Summary	Application No.	Applicant(s)	
	10/656,008	CHOU ET AL.	
	Examiner	Art Unit	
	Erin D. Chiem	2883	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05/11/05.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☒ Claim(s) 4,5 and 7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

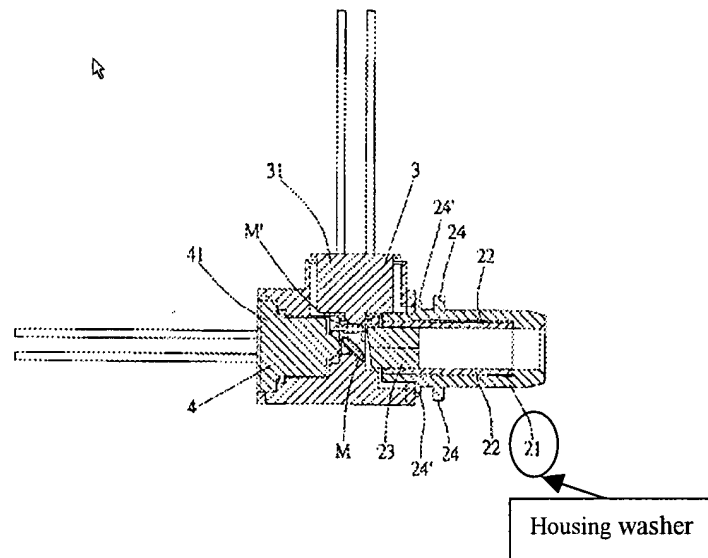
DETAILED ACTION

Upon careful reconsideration of claim 1 for reasons herein, claim 1 is not deemed to be allowable.

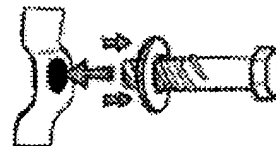
Specification

1. Claims 4, 5, and 7 objected to because of the following informalities:

Claims 4 and 5 claimed a housing washer and the specification directs the “housing washer” to element number 21 in Figure 1.



However, the term “washer” is known as a thin round disk having a hole in which a bolt is inserted through such as the following drawings.



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Similarly, claim 7 draws to the limitation of a “ceramic column embolus.” According to www.dictionary.com an embolus is –

A mass, such as an air bubble, a detached blood clot, or a foreign body that travels through the bloodstream and lodges so as to obstruct or occlude a blood vessel.

The Examiner is confused as to how blood clots in a blood vessel are related to this application.

Applicant may be his or her own lexicographer to specifically define a term of a claim contrary to its ordinary meaning, however, there is no such definition in applicant’s disclosure. According to the MPEP, the written description must clearly redefine the claim term and set forth uncommon definition so as to put one reasonably skilled in the art to notice that the applicant intended to so redefine that claim term. However, in this case, redefining, or what not, “washer” and “embolus” in an optical transceiver would be considered repugnant to the usual meaning of the term. No term may be given a meaning repugnant to the usual meaning of the term [MPEP 608.01(o) [R-2]].

Appropriate correction is required.

For the purpose of examination, the Examiner will interpret the “housing washer” as the ceramic ferrule since element 21 and element 2 are apparently pointing to the same structure.

Similar interpretation will be given to the limitation “ceramic column embolus.”

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 recites:

A single-core bidirectional optical transceiver module, which mainly includes: optical transceiver sleeve, laser diode package, photoelectric sensor, filter glass and combined-seat; **it** features the following: the combined-seat is rectangular, whose surface is made of stainless steel, **the part included in it** is made of plastic material by way of integration; **it** connects with the optical transceiver sleeve at **the right side**, connects with the laser diode package **at the left side**, connects again with the photoelectric sensor at **its** top; such three components are combined in the combined-seat and form an optical transceiver module; while the optical transceiver sleeve serves for the insertion combination of the optical fiber to form the optical coupling connection, so as to provide the product of this creation with the advantage of easy workability and low cost.

The bolded and underlined texts indicate the indefinite for failing to particularly point out and distinctly claim the subject matter. The word *it* is clearly indefinitely and the description of the relative position *right*—and *left*—does not have a point of reference. Therefore, for the purpose of examination, the Examiner shall interpret claim 1 as follow:

A single-core bidirectional optical transceiver module, which mainly includes: optical transceiver sleeve, laser diode package, photoelectric sensor, filter glass and combined-seat; **said transceiver module** features the following: the combined-seat is rectangular, whose surface is made of stainless steel, **an inner part of the combined-seat** is made of plastic material by way of integration; **the combined-seat** connects with the optical transceiver sleeve at **right side of the combined-seat**, connects with the laser diode package **at left side of the combined-seat**, connects again with the photoelectric sensor at **top of the combined-seat**; such three components are combined in the combined-seat and form an optical transceiver module; while the optical transceiver sleeve serves for the insertion combination of the optical fiber to form the optical coupling connection, so as to provide the product of this creation with the advantage of easy workability and low cost.

The bolded and underlined texts here indicate the Examiner's interpretation of the indefiniteness of the original claim 1.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Ojima et al. (US 6,334,716 B1).

Regarding claim 1, 4, 8, and 9, Ojima teaches an optical transceiver (transmit/receive) module comprising and optical transceiver sleeve [Figure 3A, (47)], laser diode package 22, photoelectric sensor 31, filter glass 43 and 44, and a rectangular combined seat 11 made of stainless steel (col. 4, line 30-31). Ojima teaches a film applied to the lens 44 in which it is known that optical film is made of polymeric or “plastic” material and this teaching by Ojima may read upon the limitation of “[t]he part included in the combined-seat is made of plastic material by way of integration.” The combined-seat connects to the sleeve on the right and also connects to the laser diode package at the left side with a convex head 13, and connects with the photoelectric sensor at the top of the combined seat. The Examiner, respectfully point out that if Figure 3A of Ojima is reflected along the horizontal, and then the sensor would be at the top of the combined seat. Furthermore, this reflection is only a figurative change and does not influence the operation of the Ojima’s transceiver module.

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Regarding claim 2, in Figure 2, the combine-seat is a rectangular solid and one side of the combined-seat is equipped with a rectangular hole, shown in Figure 2 where element 31, photodiode package, protrudes out.

Regarding claim 3 and 10, the combined-seat is equipped with two filter-mirrors integrally combined into 1, as in Figure 2 (43, 44), wherein the two elements integrally used to allow part of a transmitted light through while reflecting another part of the transmitted light to the photodiode.

Regarding claim 5, in Figure 3C, the front view of the module shows the transceiver sleeve is equipped with a small flange and a large flange.

Regarding claim 6 and 7, in column 4, line 61, Ojima teaches a ferrule made of ceramic incorporated within the sleeve as "the inner ring."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erin D. Chiem whose telephone number is (571) 272-3102. The examiner can normally be reached on Monday - Thursday 9AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank G. Font can be reached on (571) 272-2415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Frank G. Font", with a stylized flourish at the end.

Erin D Chiem
Examiner
Art Unit 2883

Frank G. Font
Supervisory Primary Examiner
Technology Center 2800